

Remarks

In the present application, claims 1 to 10, 12 to 19, 21 and 22 have been amended. Claims 1 to 10, 12 to 19, 21 and 22 remain pending. Reexamination and reconsideration of the pending claims in view of the above amendments and the following remarks are respectfully requested.

Procedural Rejections

The Examiner rejected claims 1 to 10 and 12 to 19 under 35 U.S.C. §112, second paragraph, for having inconsistent references in the preambles. These claims have been amended to include consistent references. Claims 1, 12, 13 and 15 were also rejected under 35 U.S.C. §112, second paragraph, for various reasons. These claims have been amended to address these rejections. Withdrawal of the rejections under 35 U.S.C. §112, second paragraph, are respectfully requested.

Substantive Rejections

The Examiner rejected claims 1 to 7 under 35 U.S.C. §102(b) as being anticipated by Bender, U.S. Patent No. 2,375,461. These rejections are respectfully traversed.

Claim 1, as amended, recited in part a retractable column including at least three adjacent section chains with a plurality of sections included in each section chain. Each section chain has a chain connection member extending outwardly from opposite sides of each section. A surface of each chain connection member slopes toward a point. These chain connection members couple to chain connection members of adjacent section chains to form a rigid column as the section chains are raised in an operable position.

In contrast, Bender shows a pair of chains with connection members engaging each other and capturing a third chain between the first two chains and connection members. The third chain does not include any connection members.

Claim 2, as amended, depends from and further limits claim 1, and recites in part that each chain connection member includes an elongated shaft and a distal hook. Claim 2 further recites that the hook of each chain connection member represents the surface which converges to a point.

Claim 3, as amended, depends from and further limits claim 2, and recites in part that the chain connection member of each section includes a first and a second chain connection member, and the hook of the second connection member is set at an angle from the elongated shaft of the connection member. None of the hooks and extended portions of the chain connection members of Bender are set at an angle to each other.

Claim 4, as amended, depends from and further limits claim 3, and recites in part that the elongated shaft of the chain connection members includes a shoulder portion which engages the corresponding section and the engagement of the shoulder and the section prevents twisting of the chain connection member relative to the section. None of the chain connection members of Bender include any shoulder portions which engage the sections to prevent relative twisting. Each of the chain connection members of Bender are mounted to side plates attached to the section chain about the pivots between the section chains. Which this arrangement, there is no shoulder engaging the section.

Claim 5, as amended, depends from and further limits claim 1, and recites a guide tower which fits about and engaging the three section chains. The guide towers identified by the Examiner in Bender does not fit about any of the section chains. The guide tower identified by the Examiner is actually one of the three chains (element C in FIG. 1). There is not element shown in Bender which fits about the sections chains.

Claim 6, as amended, depends from and further limits claim 5, and recites shims affixed to the guide tower. As noted in the discussion above with regard to claim 5, there is no guide tower structure within Bender which fits about the section chains, and thus there can be no shims incorporated into the guide tower. The shim identified by the Examiner is actually one of the three chains (element C' in FIG. 3). There is no element shown in Bender which is part of a guide tower fitting about the section chains.

Claim 7, as amended, depends from and further limits claim 5, and recites that at least one interior roller is affixed to the guide tower. As noted in the discussion above with regard to claim 5, there is no guide tower structure within Bender which fits about the section chains, and thus there can be no interior roller incorporated into the guide tower.

For at least theses reasons, Applicants submit that claims 1 to 7 are not anticipated by the cited prior art and that claims 1 to 7 are in condition for immediate allowance. Reexamination and reconsideration are respectfully requested.

Claims 12 to 17, 19, 21 and 22 were rejected under 35 U.S.C. §102(b) as anticipated by Bender. These rejections are respectfully traversed.

Claim 12, as amended, recites in part a retractable column with at least three section chains, each chain including a plurality of pivotably connected sections that can be rolled up on a take up mechanism layered atop one another. A first chain connection member is attached to each section and extends in a horizontal manner from the section. A second chain connection member extends in an offset manner from each section. The chain connection members are curved and the first and second chain connection members of adjacent section chains engage as the section chains are extended from the take up mechanism.

Bender, as noted above, only shows two chains having chain connection members, as the third chain is received between the first two chains and the connection members of the first two chains. No provision of shows or described for the third chain including any chain connection members. The chain connection members shown do not extend at an offset manner from the section to which they are attached. The chain connection members of Bender extend only toward each other and any offsetting of one of the chain connection members would cause the chains to not engage each other. Further, no take up mechanism is disclosed in Bender on to which the sections of each chain are layered atop one another.

Claim 13, as amended, depends from and further limits claim 12, and recites in part that the retractable tower includes a kicker and each section includes a crossbar to which the kicker is attached. The kicker shunts each section into position atop another section to properly position the sections on the take up mechanism. As noted above, Bender does not disclose a take up mechanism and the crossbars included in the sections do not include any structure which is included to improve the ability of the sections to be layered atop one another.

Claim 14, as amended, depends from and further limits claim 13.

Claim 15, as amended, depends from and further limits claim 12, and recites in part that the retractable column includes a guide tower which fits about and engages the sections and helps guide the connection members into coupled engagement.

Bender does not disclose a guide tower or any mechanism which fits about and engages the sections to guide the chain connection members into engagement. None of the elements of bender fits about the sections or the sections chains.

Claim 16, as amended, depends from and further limits claim 15, and recites in part that the guide tower includes at least one shim which engages the sections and helps to guide the chain connection members into coupled engagement.

Bender, as noted above, does not disclose a guide tower which fits about the sections and further does not disclose any shims which are part of the guide tower to aid the sections in coupling to each other. The elements identified by the Examiner as being a guide tower (element C in FIG. 1) and a shim (element C' in FIG. 3) are actually one of the three chains.

Claim 17, as amended, depends from and further limits claim 16, and recites in part that the guide tower include at least one interior roller which engages the sections and helps guide the connection members into coupled engagement.

Bender, as noted above, does not disclose a guide tower which fits about the sections and further does not disclose any interior rollers which are part of the guide tower to aid the sections in coupling to each other.

Claim 19, as amended, depends from and further limits claim 15.

Claim 21, as amended, recites in part an apparatus for raising a retractable column including at least three section chains operably positioned so that they can be raised or lowered concurrently, and that raising the section chains acts to directly couple each section chain to the adjacent section chain. A guide tower fits about and engages the sections chains and facilitates the coupling of each section chain to form the column. At least one guide roller and at least one shim are attached to the guide tower to aid the coupling of the sections chains. A motor is operatively affixed to the guide tower to effect the raising and lowering of each section chain.

As noted above, Bender does not disclose a guide tower fitting about the section chains. Without a guide tower, Bender cannot disclose guide rollers, shims or the motor which are attached to the guide tower.

Claim 22, as amended, recites in part a retractable column including at least three section chains which a first and a second hook attached to each section. The first hook extends in a horizontal manner from each section while the second hook extends opposite the first hook and in an off-set manner. Each first hook is adjacent an offset hook of an adjacent section chain and these adjacent hooks form an interlocking engagement.

As noted above, none of the hooks in Bender are offset in any manner as they extend from the sections. If the hooks of Bender were offset in any fashion, the hooks of adjacent sections chains would fail to engage.

For at least these reasons, Applicants submit that claims 12 to 17, 19, 21 and 22 are not anticipated by the cited prior art and that claims 12 to 17, 19, 21 and 22 are in condition for immediate allowance. Reexamination and reconsideration are respectfully requested.

Allowable Subject Matter

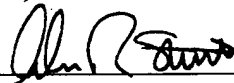
Applicants appreciate the Examiner's indication that claims 8 to 10 and 18 include allowable subject matter and would be allowable if rewritten in independent form. In view of the amendments and discussion above, Applicants decline to rewrite claims 8 to 10 and 18 at this time but reserve the right to do in the future.

If the Examiner has any questions regarding the above Amendments and Remarks, the Examiner is invited to contact Applicants' representative Alan Stewart at 612.371.5376.

Respectfully submitted,

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